

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

SENGMANY SAVATXATH,

Plaintiff,

v.

**3:12-CV-1492
(NAM/DEP)**

CITY OF BINGHAMTON, et al.,

Defendants.

APPEARANCES:

OF COUNSEL:

SENGMANY SAVATXATH
c/o 105 North Roosevelt Ave.
Endicott, NY 12821
Plaintiff, *pro se*

CITY OF BINGHAMTON
CORPORATION COUNSEL
38 Hawley Street
City Hall
Binghamton, NY 13901
Counsel for City Defendants

BRIAN M. SEACHRIST, ESQ.

OFFICE OF BROOME COUNTY
ATTORNEY
44 Hawley Street
P.O. Box 1766
Binghamton, NY 13902-1766

JENNIFER L. KATZ, ESQ.

NORMAN A. MORDUE, SENIOR U. S. DISTRICT JUDGE

ORDER

The above matter comes to me following a Report-Recommendation by Magistrate Judge David E. Peebles, duly filed on the 12th day of August 2013. Following fourteen (14) days from the service thereof, the Clerk has sent me the file, including any and all objections filed by the parties herein.

After careful review of all of the papers herein, including the Magistrate Judge's Report-Recommendation, and no objections submitted thereto, it is

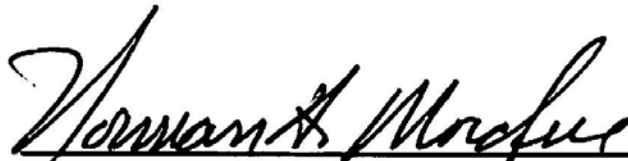
ORDERED that:

1. The Report-Recommendation is hereby adopted in its entirety.
2. Plaintiff's complaint is dismissed, without prejudice, for failure to prosecute.
3. The Clerk of the Court shall serve a copy of this Order upon all parties and the

Magistrate Judge assigned to this case.

IT IS SO ORDERED.

Dated: September 9, 2013
Syracuse, New York


Norman A. Mordue
Senior U.S. District Judge